

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MARCOS SENA,

Petitioner,

v.

LUIS SPENCER,

Respondent.

Civil Action No. 05-10381-DPW

**RESPONDENT'S MOTION FOR ENLARGEMENT OF TIME
TO FILE MEMORANDUM IN OPPOSITION TO HABEAS CORPUS PETITION**

The respondent, Luis Spencer, through undersigned counsel, hereby requests that this Court permit him to enlarge the time to file his memorandum in opposition to the habeas corpus petition until June 15, 2005. As grounds, undersigned counsel states that he did not receive the state court materials from the Middlesex County District Attorney's Office until the afternoon of May 9, 2005. Consequently, he has had insufficient time to analyze, research and write an opposition on behalf of the respondent. Undersigned counsel further states that earlier today, he filed an Answer on behalf of the respondent, but understands that the filing of this document does not satisfy the Court's order of March 2, 2005.

For the foregoing reasons, counsel respectfully requests that this Court enlarge the time to file an answer or other responsive pleading until June 15, 2005.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Daniel I. Smulow
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Dated: May 11, 2005

Certificate of Service

I, Daniel I. Smulow, hereby certify that a true copy of the above document was served on Stephen Neyman, Esq., 160 State Street, Eighth Floor, Boston, MA 02109-2502, by first class mail, postage prepaid, on May 11, 2005.

/s/ Daniel I. Smulow